

# SENATE JOURNAL

OF THE

## IDAHO LEGISLATURE

SECOND REGULAR SESSION  
FIFTY-EIGHTH LEGISLATURE

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**EIGHTY-SIXTH LEGISLATIVE DAY**  
**TUESDAY, APRIL 4, 2006**

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Cameron, Kelly, and Sweet, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Brigitte Harper, Page.

The Senate advanced to the Third Order of Business.

### Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of April 3, 2006, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

### Reports of Standing Committees

April 4, 2006

The JUDICIARY AND RULES Committee reports that **S 1425**, as amended in the House, has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1425**, as amended in the House, and ordered it transmitted to the House for the signature of the Speaker.

April 3, 2006

The JUDICIARY AND RULES Committee reports that Enrolled **S 1300**, as amended, as amended in the House, **S 1363**, as amended in the House, **S 1367**, **S 1456**, **S 1458**, **S 1459**, **S 1460**,

**S 1461**, and **S 1463** were delivered to the Office of the Governor at 2:15 p.m., April 3, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 3, 2006

The JUDICIARY AND RULES Committee reports that Enrolled **SCR 124** was delivered to the Office of the Secretary of State at 3 p.m., April 3, 2006.

DARRINGTON, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

April 3, 2006

The FINANCE Committee reports out **H 864** with the recommendation that it do pass.

CAMERON, Chairman

**H 864** was filed for second reading.

Senator Sweet was recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

April 3, 2006

Mr. President:

I return herewith **S 1484** which has passed the House.

JUKER, Chief Clerk

**S 1484** was referred to the Judiciary and Rules Committee for enrolling.

April 3, 2006

Mr. President:

I return herewith Enrolled **S 1370**, **S 1427**, **S 1464**, **S 1465**, **S 1466**, **S 1467**, **S 1469**, **S 1470**, **S 1471**, **S 1473**, **S 1474**, **S 1475**, **S 1476**, **S 1477**, **S 1478**, **S 1479**, **S 1480**, and **S 1481** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1370**, **S 1427**, **S 1464**, **S 1465**, **S 1466**, **S 1467**, **S 1469**, **S 1470**, **S 1471**, **S 1473**, **S 1474**, **S 1475**, **S 1476**, **S 1477**, **S 1478**, **S 1479**, **S 1480**, and **S 1481** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

The President Pro Tempore announced the State Affairs Committee report relative to the Gubernatorial appointment of William L. Swift was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator McKenzie, seconded by Senator Stennett, the Gubernatorial appointment of William L. Swift as a member of the Idaho Commission on Human Rights was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

#### S 1493

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE SOIL CONSERVATION COMMISSION FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1494

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; DIRECTING THE TRANSFER OF MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE TREASURE VALLEY AIR QUALITY TRUST FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1495

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1496

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE WATER MANAGEMENT FUND.

#### S 1497

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF WATER RESOURCES FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1498

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; CREATING THE RURAL BROADBAND DEVELOPMENT MATCHING FUND; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE RURAL BROADBAND DEVELOPMENT MATCHING FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1499

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; CREATING THE BUSINESS AND JOBS DEVELOPMENT FUND; DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE BUSINESS AND JOBS DEVELOPMENT FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007 THROUGH FISCAL YEAR 2008.

#### S 1500

#### BY FINANCE COMMITTEE

#### AN ACT

DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FROM THE GENERAL FUND TO THE ECONOMIC RECOVERY RESERVE FUND; AND APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF COMMERCE AND LABOR FOR FISCAL YEAR 2007.

S 1493, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499, and S 1500 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

H 860 and H 862, by Appropriations Committee, were read the second time at length and filed for third reading.

H 857 and H 853, by Ways and Means Committee, were read the second time at length and filed for third reading.

**S 1491**, by Finance Committee, was read the second time at length and filed for third reading.

April 4, 2006

**S 1492**, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

**S 1482**, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

Senators Cameron and Kelly were recorded present at this order of business.

**SJR 108**, having been held, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Little arose as sponsor of the resolution and opened the debate. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Darrington, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie. Total - 18.

NAYS--Andreason, Burkett, Corder, Davis, Fulcher, Kelly, Langhorst, Malepeai, Marley, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 17.

Total - 35.

Less than two-thirds having voted in the affirmative, the President Pro Tempore declared that the Senate had failed to adopt **SJR 108** and ordered the resolution filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate recessed at 12:10 p.m. until the hour of 1:30 p.m. of this day.

### RECESS AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., pursuant to recess, President Pro Tempore Geddes presiding.

Roll call showed all members present except Senator Darrington, absent and formally excused by the Chair; and Senators Cameron, Keough, and Little, absent and excused.

Prior to recess the Senate was at the Sixth Order of Business, Reports of Standing Committees.

The JUDICIARY AND RULES Committee reports that **S 1493, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499**, and **S 1500** have been correctly printed.

DARRINGTON, Chairman

**S 1493, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499**, and **S 1500** were referred to the Finance Committee.

Senator Cameron was recorded present at this order of business.

April 4, 2006

The JUDICIARY AND RULES Committee reports that **S 1484** has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1484**, and ordered it transmitted to the House for the signature of the Speaker.

April 4, 2006

The FINANCE Committee reports out **S 1493, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499**, and **S 1500** with the recommendation that they do pass.

DARRINGTON, Chairman

**S 1493, S 1494, S 1495, S 1496, S 1497, S 1498, S 1499**, and **S 1500** were filed for second reading.

April 4, 2006

The EDUCATION Committee reports out **HCR 66** with the recommendation that it do pass.

GOEDDE, Chairman

**HCR 66** was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

### Messages from the House

April 4, 2006

Mr. President:

I transmit herewith **H 866, H 868, H 865**, and **H 861** which have passed the House.

JUKER, Chief Clerk

**H 866, H 868, H 865**, and **H 861** were filed for first reading.

April 4, 2006

Mr. President:

I transmit herewith Enrolled **HCR 64, HCR 65, H 834, H 570**, as amended, **H 795, H 846, H 847, H 822, H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 64, HCR 65, H 834, H 570**, as amended, **H 795, H 846, H 847, H 822, H 845, H 848, H 825, H 753**, as amended, **H 820**, and **H 849** and ordered them returned to the House.

April 4, 2006

Mr. President:

I transmit herewith Enrolled **HJM 25, H 852, HCR 67, H 832**, as amended, and **H 858** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HJM 25, H 852, HCR 67, H 832**, as amended, and **H 858** and ordered them returned to the House.

April 4, 2006

Mr. President:

I return herewith Enrolled **S 1472** which has been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1472** was referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

April 4, 2006

Mr. President:

I return herewith **S 1441**, as amended, as amended in the House, which has passed the House.

JUKER, Chief Clerk

On request by Senator Richardson, granted by unanimous consent, **S 1441**, as amended, as amended in the House, was referred to the Tenth Order of Business, Motions and Resolutions, for consideration as to possible concurrence in the House amendments.

April 4, 2006

Mr. President:

I return herewith **S 1490** and **S 1487** which have passed the House.

JUKER, Chief Clerk

**S 1490** and **S 1487** were referred to the Judiciary and Rules Committee for enrolling.

The Senate advanced to the Tenth Order of Business.

### Motions and Resolutions

Senator Little was recorded present at this order of business.

The President Pro Tempore announced that the House amendments to **S 1441**, as amended, as amended in the House, were before the Senate for consideration as to possible concurrence, the question being, "Shall the Senate concur in the House amendments to **S 1441**, as amended, as amended in the House?"

On request by Senator Richardson, granted by unanimous consent, the Senate concurred by voice vote in the House amendments to **S 1441**, as amended, as amended in the House.

**S 1441**, as amended, as amended in the House, was referred to the Judiciary and Rules Committee for engrossing.

The Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**H 866** and **H 868**, by Appropriations Committee, were introduced, read the first time at length, and referred to the Finance Committee.

**H 865**, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

**H 861**, by Appropriations Committee, was introduced, read the first time at length, and referred to the Finance Committee.

The Senate advanced to the Twelfth Order of Business.

### Second Reading of Bills

**H 864**, by Appropriations Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

#### Suspension of Rules

The President Pro Tempore called Senator Little to the Chair.

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 860** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 860** was read the third time at length, section by section, and put upon its final passage.

**H 860** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 29.

NAYS--Brandt, Fulcher, Pearce, Sweet. Total - 4.

Absent and excused--Darrington, Keough. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 860** passed, title was approved, and the bill ordered returned to the House.

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 862** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 862** was read the third time at length, section by section, and put upon its final passage.

**H 862** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--None.

Absent and excused--Darrington, Davis, Keough. Total - 3.

Total - 35.

Whereupon the Acting President declared **H 862** passed, title was approved, and the bill ordered returned to the House.

#### Suspension of Rules

Senator Keough was recorded present at this order of business.

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate

passage of **H 857** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 857** was read the third time at length, section by section, and put upon its final passage.

**H 857** was read the third time at length, section by section, and placed before the Senate for final consideration. President Pro Tempore Geddes arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--Schroeder. Total - 1.

Absent and excused--Darrington, Keough. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 857** passed, title was approved, and the bill ordered returned to the House.

#### Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 853** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 853** was read the third time at length, section by section, and put upon its final passage.

**H 853** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stennett arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Broadsword, Burkett, Coiner, Compton, Corder, Gannon, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Schroeder, Stegner, Stennett, Werk. Total - 22.

NAYS--Andreason, Bunderson, Burtenshaw, Cameron, Darrington, Davis, Fulcher, Geddes, Hill, Pearce, Richardson, Sweet, Williams. Total - 13.

Paired and voting included in roll call:

AYE - Kelly      NAY - Darrington

Total - 35.

Whereupon the Acting President declared **H 853** passed, title was approved, and the bill ordered returned to the House.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1491** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1491** was read the third time at length, section by section, and put upon its final passage.

**S 1491** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Cameron arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Stegner, Stennett, Sweet, Werk, Williams. Total - 32.

NAYS--Schroeder. Total - 1.

Absent and excused--Darrington, Keough. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1491** passed, title was approved, and the bill ordered transmitted to the House.

### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1482**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1482**, as amended, was read the third time at length, section by section, and put upon its final passage.

**S 1482**, as amended, was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bunderson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 30.

NAYS--Kelly, Langhorst, Schroeder, Stennett, Werk. Total- 5.

Paired and voting included in roll call:

AYE - Darrington      NAY - Kelly

Total - 35.

Whereupon the Acting President declared **S 1482**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Sixth Order of Business.

### Reports of Standing Committees

The President Pro Tempore returned to the Chair.

April 4, 2006

The JUDICIARY AND RULES Committee reports that **S 1487** and **S 1490** have been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1487** and **S 1490** and ordered them transmitted to the House for the signature of the Speaker.

April 4, 2006

The JUDICIARY AND RULES Committee reports that **S 1441**, as amended, as amended in the House, has been correctly engrossed.

DARRINGTON, Chairman

**S 1441**, as amended, as amended in the House, was filed for first reading.

April 4, 2006

The FINANCE Committee reports out **H 861**, **H 866**, and **H 868** with the recommendation that they do pass.

CAMERON, Chairman

**H 861**, **H 866**, and **H 868** were filed for second reading.

April 4, 2006

The STATE AFFAIRS Committee reports out **H 865** with the recommendation that it do pass.

BURTENSHAW, Chairman

**H 865** was filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

### Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

**S 1441**, as amended, as amended in the House, by Judiciary and Rules Committee, was read the first time at length and filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

### Third Reading of Bills

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **H 864** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **H 864** was read the third time at length, section by section, and put upon its final passage.

**H 864** was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Broadsword, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Keough, Little, Lodge, McGee, McKenzie, Pearce, Richardson, Stegner, Sweet, Williams. Total - 25.

NAYS--Burkett, Kelly, Langhorst, Malepeai, Marley, Schroeder, Stennett, Werk. Total - 8.

Absent and excused--Darrington, Fulcher. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **H 864** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Twelfth Order of Business.

### Second Reading of Bills

#### Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1493** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency, and **S 1493** was read the second time by title and the third time at length, section by section, and put upon its final passage.

**S 1493** was read the second time by title and the third time at length, section by section, and placed before the Senate for final consideration. Senator Pearce arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Broadsword, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Davis, Gannon, Geddes, Goedde, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Pearce, Richardson, Schroeder, Stegner, Stennett, Werk, Williams. Total - 29.

NAYS--Andreason, Brandt, Hill, Sweet. Total - 4.

Absent and excused--Darrington, Fulcher. Total - 2.

Total - 35.

Whereupon the President Pro Tempore declared **S 1493** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

### Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 4:10 p.m. until the hour of 9 a.m., Wednesday, April 5, 2006.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary